

Serial No. 10/005,323
Amdt. dated April 19, 2007
Reply to Office Action of February 9, 2007

Docket No. P-0304

Amendments to the Drawings

A Replacement Sheet for Figure 3 has been submitted with this paper to overcome the drawing objection.

Attachment: Replacement Sheet for Figure 3

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REMARKS

Claims 1-5, 8-10, 14, 19, and 20 are pending. Claims 1-5 have been amended, claims 6, 7, 11-13, and 15-18 have been canceled, and new claims 19 and 20 have been added to recite additional features of the embodiments disclosed in the specification. In addition, a Replacement Sheet for Figure 3 has been submitted to show the mobile station modem as recited in the claims, and corresponding portions of the specification have been amended to reference the changes to Figure 3.

At the outset, Applicants would like to thank the Examiner for extending Applicants' representative an interview on April 19, 2007, to discuss the rejections in the Office Action. During the interview, amended claim 1 was indicated to be allowable over Adkins and the other cited references based on the feature of a "key input function" added to this claim. This key function allows a user to control the operating modes of the phone, e.g., switch between general call and headset modes at the will of the user. Switching between these modes is therefore performed "independent of a location of the terminal relative to the base unit." In contrast, the Adkins phone switches between modes based on the proximity of its handset to a base unit.

At the conclusion of the interview, the Examiner indicated that he would postpone his decision concerning the allowability of the claims pending consideration of this paper. Applicants submit that the amended claims are allowable based on the aforementioned differences and indeed the other differences discussed in greater detail below.

In the Office Action, claims 1-18 were rejected under 35 USC § 103(a) for being obvious in view of the Adkins publication. Applicants respectfully request the Examiner to withdraw this rejection for the following reasons.

The Adkins publication discloses a mobile handset 28 which operates in at least two communication modes. The first mode allows the handset to perform calls over a cellular network, and the second mode allows the handset to perform calls over the Internet. The mode in which handset 28 operates is based on its proximity to a base unit 13. More specifically, when the handset enters into a certain range of the base unit, the handset automatically switches from cellular mode to non-cellular (e.g., Internet call) mode. Conversely, when the handset is taken out of this range, the handset automatically switches back to cellular mode. (See Paragraph [0048] of the Adkins publication).

The only button on the handset which controls telephony functions is the “T” button. (See Paragraph [0073] with reference to Figure 2). When the T button is pressed, a phone call is either answered or a dial tone is generated to allow a user to make a phone call. Unlike the system of claim 1, the network over which the phone call is established is based on the proximity of the handset relative to the base unit. When the T button is pressed at a time when handset 28 is within range of the base unit, only the land-based (e.g., Internet call) mode is activated and calls therefore take place over the Internet. When the T button is pressed when the handset is of

range of the base unit, the cellular mode is activated and all calls therefore take place over a cellular network.

The T button, therefore, only performs the function of activating handset 28 to make or receive calls. (See Paragraphs [0073], [0089], and [0090]). Unlike claim 1, the Adkins publication does not disclose that the T button controls or otherwise changes an operating mode for making calls using the handset, since the operating mode is automatically determined based on the proximity of the handset to the base unit.¹

This is confirmed by Paragraph [0015], which states that one of the main objects of the Adkins system is to minimize the time (and thus the cost) of handset 28 being connected to a cellular network at all times. This is achieved by switching the handset to a land-based (e.g., Internet call) mode when the handset comes within range of the base unit. When the handset comes within this range, the cellular connection is terminated in favor of the land-based connection through the base unit.

In view of the foregoing, Applicants respectfully submit that the Adkins publication does not disclose the features added by amended to claim 1, including:

- (1) “a key input function which operates with a displayed menu to change a mode of the terminal between a general call mode and a headset mode;”

¹ In Applicants' previous response, it was stated that the T button controls the operating mode of the Adkins handset. Applicants now correct this mis-statement in view of their clearer understanding of the way in which handset 28 operates in view of the description in the Adkins specification.

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(2) “the mobile station modem is responsive to said key input function to alter said input/output ports for communicating speech signals relating to the Internet phone service call between the terminal and base unit when said key input function designates the headset mode,”

(3) “the mobile station modem is responsive to said key input function to alter said input/output ports to communicate speech signals with an external mobile communication network when said key input function designates the general call mode,” and

(4) “when the key input function sets the mode of the terminal to the general call mode, the terminal remains in the general call mode independent of a location of the terminal relative to the base unit.” (See, for example, the Detailed Description of the Preferred Embodiment section of the specification for support of these features).

Applicants respectfully submit that these features are sufficient to patentably distinguish claim 1 and its dependent claims from the Adkins publication. Withdrawal of the § 103(a) rejection as applied to these claims is therefore respectfully requested.

Claims 4 and 5 have been amended to recite features similar to those which patentably distinguish claim 1 from the Adkins publication. Accordingly, it is submitted that these claims and their dependent claims are also allowable.

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New claims 19 and 20 have been added to the application.

Claim 19 recites that the mobile station modem “performs an additional function of periodically checking whether the mobile communication terminal has been set to the headset mode, and when the periodic check indicates that the headset mode has been set, a control program drives the mobile station modem to alter the input/output ports of the terminal for communicating speech signals of an Internet phone service call between the mobile communication terminal and personal computer through the built-in wireless communication capability.” These features are not disclosed by the Adkins publication.

Applicants therefore respectfully submit that claim 19 is allowable, not only by virtue of its dependency from claim 1 but also based on the features separately recited therein.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application are respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

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please credit any excess fees to such deposit account.

Respectfully submitted,
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